

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM

TO BE FILLED OUT BY ORIGINATING OFFICE:

(Attach a copy of the final order and transmittal letter to Defendant/Respondent)

This form was originated by: Gary Morton September 28, 2010
Name of Contact person *Date*

in the RCRA Compliance & Enforcement Branch (3WC31) at 215-814-3159
Office *Phone number*

Non-SF Jud. Order/Consent Decree. DOJ COLLECTS Administrative Order/Consent Agreement. FMD COLLECTS PAYMENT
 SF Jud. Order/Consent Decree. FMD COLLECTS
 This is an original debt This is a modification

Name of Person and/or Company/Municipality making the payment
Samad Corporation

The Total Dollar Amount of Receivable \$12,500.00
(If in installments, attach schedule of amounts and respective due dates)

The Case Docket Number RCRA-03-2010-0255

The Site-Specific Superfund Acct. Number N/A

The Designated Regional/HQ Program Office Office of Land Enforcement (3LC70)

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

The IFMS Accounts Receivable Control Number _____
If you have any questions call: _____
Name of Contact *Date*

in the Financial Management Office, phone number: _____

JUDICIAL ORDERS: Copies of this form with an attached copy of the front page of the final judicial order should be mailed to:

- | | |
|--|---|
| 1. Lori Weidner
U.S. EPA
MS-NWD
26 W ML King Drive
Cincinnati, OH 45268-0001 | 2. Originating Office (ORC)
3. Designated Program Office |
|--|---|

ADMINISTRATIVE ORDERS: Copies of this form with an attached copy of the front page of the administrative order should be sent to:

- | | |
|---------------------------|------------------------------|
| 1. Originating Office | 2. Designated Program Office |
| 3. Regional Hearing Clerk | 3. Regional Counsel |



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Benjamin D. Fields
Senior Assistant Regional Counsel

Direct Phone: (215) 814-2629
Fax: (215) 814-2603
Mail Code: 3RC30
E-Mail: fields.ben@epa.gov

October 14, 2010

Lori Weidner
U.S. Environmental Protection Agency
Cincinnati Finance Center
26 W. MLK Drive
Cincinnati, OH 45268

Re: Accounts Receivable
Consent Agreement and Final Order
Samad Corporation
Docket Number RCRA-03-2010-0255

Dear Ms. Weidner:

Enclosed please find a copy of the Consent Agreement and Final Order, and the Enforcement Accounts Receivable Control Number Form (EARCNF) filed with the Regional Hearing Clerk on October 14, 2010, in settlement of the above referenced subject matter.

Please note that payment of the penalty in this matter was made prior to the issuance of the Final Order. Such payment may now be released from the "suspense account."

Should you have any question or require further information, please feel free to call me at (215) 814-2629.

Sincerely,

A handwritten signature in black ink, appearing to read "Benjamin D. Fields".

Benjamin D. Fields
Senior Assistant Regional Counsel

Enclosures

EPA REGION III
PHILADELPHIA, PA

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103**

In Re:)	
)	
Samad Corporation)	
12680 Darby Brooke Court)	
Woodbridge, Virginia 22192)	Consent Agreement
)	
RESPONDENT)	Docket Number RCRA-03-2010-0255
)	
Minnesota Avenue Citgo)	
3820 Minnesota Avenue, N.E.)	
Washington, D.C. 20019)	
)	
FACILITY)	

CONSENT AGREEMENT

I. PRELIMINARY STATEMENT

1. On April 29, 2010, the Director, Land and Chemicals Division, U.S. Environmental Protection Agency, Region III ("Complainant" or "EPA") issued an Administrative Complaint, Compliance Order and Notice of Opportunity for Hearing ("Complaint") against Samad Corporation ("Respondent"), pursuant to Section 9006(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6991e(a).
2. This Consent Agreement constitutes a settlement of EPA's claims against Respondent for civil penalties pursuant to Sections 9006(a) and (d) of RCRA, 42 U.S.C. §§ 6991e(a) and (d), for the violations alleged in the Complaint.
3. For the purposes of this proceeding, Respondent admits the jurisdictional allegations in the Complaint.

4. Respondent neither admits nor denies the Findings of Fact and the Conclusions of Law in the Complaint, except as provided in Paragraph 3, above.

5. For the purposes of this proceeding only, Respondent hereby expressly waives its right to a hearing on any issue of law or fact set forth in the Findings of Fact and Conclusions of Law in the Complaint, and any right to appeal the accompanying Final Order.

6. The settlement agreed to by the parties in this Consent Agreement reflects the desire of the parties to resolve this matter without continued litigation.

7. Respondent consents to the issuance of this Consent Agreement and to the attached Final Order and agrees to comply with their terms. Respondent agrees not to contest Complainant's jurisdiction with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement thereof.

8. This Consent Agreement and Final Order resolve only EPA's claims for civil penalties for the specific violations alleged in the Complaint. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. In addition, this settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice.

9. EPA reserves any rights and remedies available to it under RCRA, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this Consent Agreement and Final Order, following its

filing with the Regional Hearing Clerk. Respondent reserves all available rights and defenses it may have to defend itself in any such action.

10. Nothing in this Consent Agreement and Final Order shall alter or otherwise affect Respondent's obligation to comply with all applicable federal, state, and local environmental statutes and regulations.

11. Respondent is aware that the submission of false or misleading information to the United States government may subject it to separate civil and/or criminal liability. Complainant reserves the right to seek and obtain appropriate relief if Complainant obtains evidence that the information provided and/or representations made by Respondent to Complainant regarding the matters at issue in the Findings of Fact and Conclusions of Law are false or, in any material respect, inaccurate.

12. Each party shall bear its own costs and attorney's fees in connection with this proceeding.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

13. EPA's Findings of Fact and Conclusions of Law set forth in the Complaint are hereby incorporated into this Consent Agreement as if set forth fully herein.

III. CERTIFICATION OF COMPLIANCE

14. As to all relevant provisions of RCRA and the District of Columbia Authorized UST Management Program allegedly violated as set forth in the Findings of Fact and Conclusions of Law in the Complaint, Respondent certifies to EPA that, upon investigation, to the best of Respondent's knowledge and belief, Respondent is currently in compliance with all such relevant provisions and regulations.

IV. CIVIL PENALTY

15. Respondent agrees to pay a civil penalty in the amount of twelve thousand five hundred dollars (\$12,500.00) in settlement of this matter. Payment of this amount has already been transmitted to EPA by Respondent and deposited into a "suspense account" from which Respondent agrees such funds will be released to EPA upon entry of the Final Order attached to this Consent Agreement.

16. Having determined that this Consent Agreement is in accordance with law and that the civil penalty amount was determined after consideration of the statutory factors set forth in Section 9006(c)-(e) of RCRA, 42 U.S.C. § 6991e(c)-(e), which include the seriousness of the violation, any good faith efforts to comply with the applicable requirements, the compliance history of the owner and operator, and any other appropriate factors, EPA hereby agrees and acknowledges that payment of the civil penalty shall be in full and final satisfaction of all civil claims for penalties which Complainant may have under Section 9006(d) of RCRA, 42 U.S.C. § 6991e(d), for the violations alleged in the Complaint.

17. Respondent agrees not to deduct for civil taxation purposes the civil penalty specified in this Consent Agreement and the attached Final Order.

V. PARTIES BOUND

18. This Consent Agreement and the accompanying Final Order shall apply to and be binding upon the EPA, Respondent, Respondent's officers and directors (in their official capacities) and Respondent's successors and assigns. By his or her signature below, the person signing this Consent Agreement on behalf of Respondent acknowledges that he or she is fully authorized to

enter into this Consent Agreement and to bind Respondent to the terms and conditions of this Consent Agreement and the accompanying Final Order.

V. ENTIRE AGREEMENT

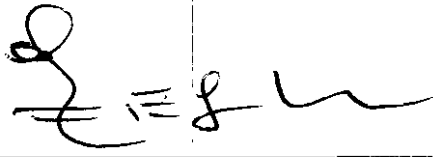
19. This Consent Agreement and the attached Final Order constitute the entire agreement and understanding of the parties concerning settlement of the above-captioned action and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Consent Agreement and the attached Final Order.

VII. EFFECTIVE DATE

20. The effective date of this Consent Agreement and Final Order is the date on which it is filed with the Regional Hearing Clerk after signature by the Regional Judicial Officer or Regional Administrator.

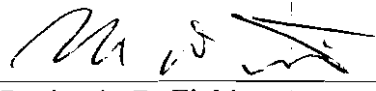
For Respondent Samad Corporation:

Date: 9-21-10

By: 
Mr. Abdolhossein Ejtemai
Managing Member, Samad Corporation

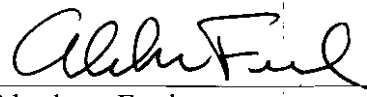
For Complainant United States Environmental Protection Agency, Region III:

Date: 9/23/10

By: 
Benjamin D. Fields
Senior Assistant Regional Counsel

After reviewing the foregoing Consent Agreement and other pertinent information, the Director, Land and Chemicals Division, EPA Region III, recommends that the Regional Administrator or the Regional Judicial Officer issue the Final Order attached hereto.

Date: 9/29/10

By: 
Abraham Ferdas
Director, Land and Chemicals Division

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103**

In Re:)	
)	
Samad Corporation)	
12680 Darby Brooke Court)	
Woodbridge, Virginia 22192)	Final Order
)	
RESPONDENT)	Docket Number RCRA-03-2010-0255
)	
Minnesota Avenue Citgo)	
3820 Minnesota Avenue, N.E.)	
Washington, D.C. 20019)	
)	
FACILITY))

FINAL ORDER

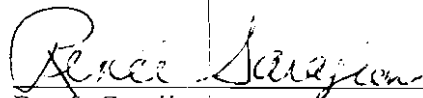
The Director, Land and Chemicals Division, U.S. Environmental Protection Agency - Region III ("Complainant") and Samad Corporation ("Respondent"), have executed a document entitled "Consent Agreement" which I hereby ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22. The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated herein as if set forth at length.

NOW THEREFORE, pursuant to Section 9006(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6991e(a), and based on representations in the Consent Agreement that the penalty agreed to in the Consent Agreement is based on a consideration of the factors set forth in Section 9006(c)-(e) of RCRA, 42 U.S.C. § 6991e(c)-(e), Samad

Corporation is hereby ordered to pay a civil penalty of twelve thousand five hundred dollars (\$12,500.00), as set forth in Section IV of the Consent Agreement, and to comply with the terms and conditions of the Consent Agreement.

The effective date of this document is the date on which it is filed with the Regional Hearing Clerk after signature by the Regional Administrator or Regional Judicial Officer.

Date: 10/14/10


Renee Sarajian
Regional Judicial Officer
U.S. EPA, Region III

CERTIFICATE OF SERVICE

I hereby certify that on the date below I hand-delivered the original and one copy of the attached Consent Agreement and Final Order to the Regional Hearing Clerk, and caused true and correct copies to be sent as follows:

Via UPS Overnight to:

Abdolossein Ejtemai
Managing Member, Samad Corporation
President, Petroleum Marketing Group, Inc.
12680 Darby Brooke Court
Woodbridge, Virginia 22192

Via Pouch Mail to:

Hon. Susan L. Biro
Chief Administrative Law Judge
Office of Administrative Law Judges
1200 Pennsylvania Ave., N.W.
Mail Code 1900L
Washington, D.C. 20005

Hon. Spencer Nissen
Administrative Law Judge
Office of Administrative Law Judges
1200 Pennsylvania Ave., N.W.
Mail Code 1900L
Washington, D.C. 20005

10/14/10
Date



Benjamin D. Fields
Senior Assistant Regional Counsel